

FILED



10:37 am, 8/21/24

Margaret Botkins
Clerk of Court

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

HORIZON TOWERS LIMITED, LLC,
and HORIZON TOWER LLC,

Plaintiffs,

v.

PARK COUNTY WYOMING, et al.

Defendants.

Case No. 23-CV-37-ABJ

**ORDER ON DEFENDANTS' MOTION FOR LEAVE OF COURT TO FILE
RENEWED MOTION FOR SUMMARY JUDGMENT**

THIS MATTER comes before the Court upon Defendants' *Motion for Leave of Court to File Renewed Motion for Summary Judgment* (ECF No. 78), filed on July 26, 2024. Defendants request leave of Court to provide a renewed motion for summary judgment based upon a recent United States Supreme Court opinion effectively overturning the judicially-established *Chevron* Doctrine. *See Chevron, U.S.A., Inc. v. Nat. Res. Def. Council, Inc.*, 467 U.S. 837, 104 S. Ct. 2778, 81 L. Ed. 2d 694 (1984), overruled by *Loper Bright Enterprises v. Raimondo*, No. 22-1219, 2024 WL 3208360 (U.S. June 28, 2024). Plaintiffs filed a response in opposition to Defendants' motion on August 6, 2024. ECF No. 79.

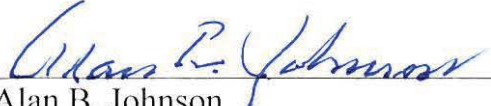
Having reviewed the filings, the applicable law, and being otherwise fully advised, the Court finds that Defendants' *Motion for Leave of Court to File Renewed Motion for*

Summary Judgment (ECF No. 78), should be, and hereby is, **GRANTED IN PART** and **DENIED IN PART**.

IT IS HEREBY ORDERED that the Court will allow Defendants to submit a supplemental brief on the subject. To accommodate Defendants' request, Defendants shall submit their supplemental brief regarding *Chevron* on or before September 4, 2024.

IT IS FURTHER ORDERED that Plaintiffs may file a response to Defendants' supplemental brief within fourteen (14) days of its filing.

Dated this 21st day of August, 2024.



Alan B. Johnson
United States District Judge